

GOVERNMENT OF ANDHRA PRADESH ABSTRACT

Public Services – Education (SE) Department - Departmental Proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991 against Sri Babu Bhukya, Joint Director, Tribal Welfare Department/Ex-Project Officer, RVM (SSA), Nalgonda District for certain irregularities committed by him while working as Project Officer, RVM (SSA), Nalgonda District – Articles of charges – Issued

EDUCATION(PE.VIG.I)DEPARTMENT

G.O.Rt.No. 114

Dated: 15.03.2014
Read the following:

- 1 From the SPD, RVM(SSA), AP, Hyderabad.
Lr.Rc.No.4944/(A4)/B2/ RVM/2013, Dt:07.12.2013
- 2 From the State Project Director, Rajiv Vidya Mission(SSA), AP,
Hyd., Lr.Rc.No.4944/(A4)/B2/RVM/2013, Dt.20.01.2014

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ORDER:

It is proposed to hold an enquiry against Sri Babu Bhukya, Joint Director, Tribal Welfare Department/Ex-Project Officer, RVM (SSA), Nalgonda District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, for failing in proper implementation of the SSA activities in the District.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge(Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of the articles of charges is enclosed(Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed(Annexure-III and IV).

3. Sri Babu Bhukya, Joint Director, Tribal Welfare Department/Ex-Project Officer, RVM (SSA), Nalgonda District is directed to submit within 10 days of the receipt of this order.

4. Sri Babu Bhukya, Joint Director, Tribal Welfare Department/Ex-Project Officer, RVM (SSA), Nalgonda District is informed that an inquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Sri Babu Bhukya, Joint Director, Tribal Welfare Department/Ex-Project Officer, RVM (SSA), Nalgonda District, is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Further Sri Babu Bhukya, Joint Director, Tribal Welfare Department/Ex-Project Officer, RVM (SSA), Nalgonda District is informed as per Rule 24 of the Andhra Pradesh Civil Services (Conduct Rules) 1964, under which, no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation received on his behalf from another person in respect of any matter dealt within

these proceedings it will be presumed that Sri Babu Bhukya is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of Andhra Pradesh Civil Service (Conduct Rules) 1964.

7. The receipt of this G.O. may be acknowledged

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT (PE)

To

Sri Babu Bhukya, Joint Director, Tribal Welfare Department/Ex-Project Officer, RVM (SSA), Nalgonda District **Through** the Director of Tribal Welfare Department, A.P, Hyderabad.

Copy to :

The Director of Tribal Welfare Department, A.P, Hyderabad.

The State Project Director, Rajiv Vidya Mission (SSA), AP., Hyderabad.

The Tribal Welfare Department. AP., Secretariat

Sf/Sc

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI BABU BHUKYA, JOINT DIRECTOR, TRIBAL WELFARE DEPARTMENT/ EX-PROJECT OFFICER, RAJIV VIDYA MISSION(SSA), NALGONDA DISTRICT

ARTICLE-I:

That the said Sri Babu Bhukya, while working as the District Project Officer, RVM(SSA), Nalgonda made irregular payments/advances towards laying foundation stone and inauguration ceremony of additional classrooms, inscription of letters (Engraving) on the foundation stone and purchased (4) computers, without sanction in the budget or approval from the concerned authority, which constitutes misconduct of failure to maintain absolute integrity and devotion to duty and commission of an act unbecoming of a Government servant, in violation of sub-rules (1) and (2) of Rule 3 of the APSCS (Conduct) Rules, 1964. Hence the charge.

ARTICLE-II:

That the said Sri Babu Bhukya, while working as the District Project Officer, incurred excess and fake expenditure on training programme in School Leadership Maintenance, Education Standards& Special Needs of Education etc., advertisement charges and Video/Photo Coverage of Press Conference & Photo exhibition. Thus he failed to maintain absolute integrity and devotion to duty and committed an act unbecoming of a Government servant, in violation of sub-rules (1) and (2) of Rule 3 of the APSCS (Conduct) Rules, 1964.” Hence the charge.

ARTICLE-III:

That the said Sri Babu Bhukya, while working as the District Project Officer, incurred heavy, unnecessary and wasteful expenditure on meetings, press conferences and on activities unrelated to his office. He sanctioned irregular and exorbitant expenditure incurred on Xerox, stationary, computer peripherals, TA bills of the Superintendent & his own bills, cash incentive awards to Minority Students and not produced the related files to the audit team. Thus he failed to maintain absolute integrity and devotion to duty and committed an act unbecoming of a Government servant, in violation of sub-rules (1)&(2) of Rule 3 of the APSCS (Conduct) Rules 1964. Hence the charge.

ARTICLE-IV:

That the said Sri Babu Bhukya, while working as the District Project Officer, resorted to split the amounts relating to one voucher, one proceeding and the same one programme in to multiple advances/vouchers of below one lakh rupees with a malafied intention to avoid the Collector’s counter signature on the cheques, which constitutes misconduct of failure to maintain absolute integrity and devotion to duty and commission of an act unbecoming of a Government servant, in violation of sub-rules (1) and (2) of Rule 3 of the APSCS (Conduct) Rules, 1964.” Hence the charge.

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT (PE)

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SRI BABU BHUKYA, JOINT DIRECTOR, TRIBAL WELFARE DEPARTMENT/ EX-PROJECT OFFICER, RAJIV VIDYA MISSION(SSA), NALGONDA DISTRICT

BASIS OF THE CHARGE-I:

During the Course of Voucher level verification of the accounts of the RVM (SSA), Nalgonda District for the Financial Year 2013-14, it was noticed that Vide Vr.Nos.42 to 44/20.07.13, Sri Babu Bhukya released Rs.2.08 lakhs as advance to Sri E. Swamy Nayak, an outsourcing site Engineer towards foundation stone and inauguration ceremony of additional classrooms, for which, there was no sanction in ‘Annual Work Plan& Budget’. Moreover, he enhanced the existing Unit cost of the ceremony by Rs.3000/-, i.e., from Rs.5000/- to Rs.8000/- . The funds for the purpose should be released only to the concerned SMCs but he released the funds to site Engineer. He incurred expenditure of Rs.81900/- for inscription of letters on the foundation stone @ Rs.3150/- Per School, was very high and seems to be not genuine. For this item of work, he released advance of Rs.1.25 Lakhs vide Vr.No.40/24.07.12 to Sri Swami Nayak. He did not follow the procurement procedure as stipulated in the SSA Manual for purchase of computers. The computers are locally assembled systems and the actual GB RAM did not tally with that mentioned in the bill. The payment for computers made vide Voucher/Bill No.535 & 536 were drawn "ourselves" instead of 3rd party. Sri Babu Bhukya incurred the above expenditure without any budget sanction and approval from the State Project Director or the Collector/Chairman, RVM (SSA), Nalgonda and in contrary to the SSA Norms contained in Paras 66 & 87 of the Manual of Financial Management& Procurement and Article 4& 5 of the APFC.

BASIS OF THE CHARGE-II:

There were discrepancies in Voucher Numbers 65 to 69/Dt.19.08.13 relating to training Programme in School Leadership Maintenance, Education Standards& Special Needs of Education etc., to MEOs, MRGs & others. Sri Babu Bhukya incurred excess expenditure of Rs.2.76 lakhs over the sanctioned amount of Rs.4.73 lakhs for the programme. He claimed an excess amount of Rs.62,328/- for those participants from (5) Mandals who did not actually attend the programme. As per State Project Director’s approval in Rc.No.541/RVM(SSA)/C1/2012-13, the training was a non-residential but he permitted to conduct it as residential programme at AP Reddla Welfare Society, Yadigirigutta and incurred excess expenditure of Rs.1,63,800-00. The Society has 103 Rooms, but the PO claimed rent for 138 Rooms i.e., fake expenditure of Rs.21,000/- for 35 Rooms. Actual Meeting hall rent per day was Rs.11,160/- (for two days Rs.22,320/-), but he claimed 25,000/- i.e., excess amount of Rs.2,680/. Provided dinner on Last day of the training programme by6:00 PM and incurred excess claim of Rs.11,150/. Incurred vehicle hire charges of Rs.7,500/- for his Staff and Rs.7,350/- for Head office Representative in spite of two Common Pool Vehicles available at District Project Office. Fake signatures of participants and claims made against absentees were noticed in incurring expenditure of Rs.2,000/- on lunch for 200 participants @ Rs.60/- per head, whereas, sanction was accorded for 196 Participants @ Rs.50/- only. Thus, he has incurred excess expenditure of Rs.2.76 lakhs on the training during 2013. He incurred the excess expenditure against the sanction orders and in contrary to the SSA Norms in Paras 66&87 of the Manual of Financial Management& Procurement. As to advertisement charges for Independence Day Awards/Greetings in ‘Namesthe Telangana’ in August, a fake bill of Rs.30,000/- was claimed vide Vr.No.708/11-12-13. It was not advertisement but a news item published in the district edition Dt.7.6.2013 attached to the bill. He paid Rs.9850/- to Sri Usha Kiran Digital Color Lab, Nalgonda for Video/Photo Coverage of Press Conference& photo exhibition vide Vr.No.692/11-12-13 & Rs.12500/-vide Vr. No.691/11-12-13, the first claim based on original photos and the second claim on Xerox copies and thus resorted to misappropriation of RVM funds.

BASIS OF THE CHARGE-III:

The Project Officer incurred an exorbitant amount Rs.1,19,050/- on the meeting conducted for distribution of bicycles to Minority Girls KGBV Choutuppal, which comprises Rs.9800/-Vr.No.295/25-7-13 for refreshments, Rs.19,950/-Vr.No.296/25-7-13 for Colour xerox documentation, Rs.12,400/-Vr.No.300/29-7-13 for photo& video documentation, Rs.22,800/-Vr.No.301/ 29-7-13 for Meals, Rs.40,400/-Vr.No.302/29-7-13for Printing& Flexi Banners, Rs.9,000/-Vr.No.303/29-7-13 for transportation of bicycles to Choutuppal and Rs.4,700/-Vr.No.304/29-7-13 for Sound system hire charges. Most of the expenditure incurred on the meeting was unnecessary and avoidable. He incurred Rs.29,800/- Vr.No.714/13-12-13 for Tent House Material and Sound system hire charges for conducting community Members meeting on florosis awareness, which was not at all related to RVM activities. He diverted Rs.21,600/-Vr.No.542/9-10-13& Rs.23,367/-Vr.No.607/11-12-13 for printing of Manakosam Manam-Mana Prajale Mana Balam, which is not related to RVM. He incurred unnecessary expenditure of Rs.14,100/-Vr.No.713/13-12-13 on Meals to participants in the meeting on eradication of child labour & dropouts. He incurred unnecessary Rs.9800/- Vr.No.712/13-12-13 on Press conference and providing non-veg meals to Press people regarding Snake bite treatment to KGBV Garidepally VI Class student. The huge amount of Rs.2,33,899/- paid to Suraksha Hospital for Snake bite treatment is doubtful and needs to be verified. The expenditure incurred was not properly accounted for on items:-(1) Computer peripherals-Rs.74,500/-Vr.No.738/19-12-13, (2) Xerox charges- Rs.13000/-Vr.No.693/5-10-13, Rs.16000/-Vr.No.694/5-11-13 and a huge amount of Rs.4.59 lakhs-Vr.Nos.519, 520, 534/9-10-13, 557, 561/25-10-13, and 767, 768/19-12-13, (3) Stationary-Rs.23,401/-& Rs.22,962/-Vr.Nos.765 & 766/19-12-13, (4) Vehicle hire charges-Rs.15000/-Vr.No.715/13-12-13, though office vehicles are available, (5) TA/DA to self without approval of Collector-Rs.39000/-Vr.No.785/21.12.13 (cheque detained), (6) TA/DA to Superintendent without approval of tour diary-Rs.8096/-Vr.No.761/19-12-13, (7) Merit Incentive -Rs.6,696/- Vr.No.606/8-11-13 on Education Day/Moulana Abdul Kalam Ajad Birth Day cash disbursed to six minority children without their acquittance, and (8) Vigilance Monitoring Committee Meeting-Rs.24000/-Vr.No.784/21-12-13 drawn on the Superintendent, RVM instead of 3rd party. The related files/stock registers were not produced to the Audit team for verification.

BASIS OF THE CHARGE-IV:

As per the existing procedure, the cheques issued for an amount of one lakh rupees and above shall be counter signed by the Collector/Chairman, RVM(SSA) as per the SPD's instructions in Rc.No.A3/1256/2012, Dt.19-11-12 & 13-12-2012. But the Project Officer made payments/advances by splitting the amounts relating to one voucher and one proceeding in to below one lakh rupees to avoid collector's signature on the cheques. The amount of Rs.4.73 lakhs relating to training programme was drawn vide (7) Vr.Nos.65 to 69 Dt.19.08.13 and the amount of Rs.2.08 lakhs relating to foundation stone programme for ACRs was issued vide Vr.Nos.42, 43 & 44/20.07.2013 to Sri E. Swamy Naik, an outsourcing Site Engineer. Same was the case with regard to an amount of Rs.13.10 lakhs sanctioned during the Financial Year 2012-13 vide Proc No.EE/C/CW/RVM/SSA/12, which was released to Site Engineers who are working in same DPO towards laying Foundation Stones, vide Vr.No.40/24.07.13. The expenditure of Rs.119050/-incurred on meeting for distribution of bicycles on 3-7-2013 in the premises of KGBV Minority at Choutuppal relates to one programme but was split up to below one lakh rupees to avoid file circulation to the collector. Thus Sri Babu Bukiya, the then Project Officer, RVM(SSA), Nalgonda has failed to discharge his duties legitimately and failed to take proper care of RVM funds.

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT (PE)

SECTION OFFICER

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI BABU BHUKYA, JOINT DIRECTOR, TRIBAL WELFARE DEPARTMENT/ EX-PROJECT OFFICER, RAJIV VIDYA MISSION(SSA), NALGONDA DISTRICT

- 1) Voucher Nos. mentioned in Annexure-I
- 2) Proceedings mentioned in Annexure-I

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT (PE)

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI BABU BHUKYA, JOINT DIRECTOR, TRIBAL WELFARE DEPARTMENT/ EX-PROJECT OFFICER, RAJIV VIDYA MISSION(SSA), NALGONDA DISTRICT

- 1) FAO, RVM(SSA), Nalgonda
- 2) Audit Team of SPO that verified the accounts

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT (PE)

SECTION OFFICER